



Legislative Update

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DOH Newborn Screening Legislation

As part of its 1999 legislative agenda, the Department is proposing changes to the law that requires newborn screening (Chapter 70.83 RCW) to allow the use of the fees to assure continuation of critical treatment services.

Every child born in Washington is screened shortly after birth to detect four treatable disorders: hemoglobin diseases (such as sickle cell anemia), phenylketonuria (also called PKU), congenital adrenal hyperplasia, and congenital hypothyroidism. These widely different disorders share some common features:

- they are relatively uncommon
- the disorder can be detected in time through newborn screening using a small amount of blood that is collected shortly after birth
- affected infants typically appear healthy and normal at birth
- they have catastrophic consequences such as profound retardation, physical disability, even death, if not properly treated
- those consequences can be prevented by proper treatment if it begins before a child shows signs of the disorder

Thus, newborn screening and early detection has helped hundreds of Washington's children achieve healthy, productive and rewarding lives who otherwise would have faced a life of profound disability or even death. Now, however, clinics that are essential for the complex treatment of PKU and sickle cell disease need assistance. These clinics relied on federal grants to help develop and demonstrate the effectiveness of their preventive care programs. These grants have expired and, as demonstration grants, they are not renewable. Without help the clinics will have to cut services.

Current law allows the department to collect a fee for screening each child born in the state. The proposed legislation will allow the department to use the fee to help assure that affected infants have access to clinics that can assure them a bright and hopeful future. For the 1999-2000 biennium, a fee of \$3.50 added to the \$35.75 screening charge will meet the clinic funding needs.

The bill, SB 5141, was heard before the Senate Health and Long Term Care Committee on Monday January 18. Acting Secretary Mary Selecky and Assistant Secretary Elizabeth Ward described the program and its importance for detection and treatment of serious illnesses. Physicians from the PKU and sickle cell clinics and the parents of children with inheritable disorders also spoke in support of the legislation. The bill now awaits a vote by the Health and Long Term Care Committee. If it passes out of that committee, it will move to the Senate Ways and Means Committee for additional consideration. §

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Governor Proposes Comprehensive Salmon Recovery Legislation

Department to Play Major Role in Water Conservation and Re-Use

Governor Gary Locke released the first complete draft of the statewide salmon recovery strategy on entitled, *Water for People and Fish*, January 19. He called on legislators to begin implementing the strategy by adopting comprehensive legislation to update Washington's antiquated water laws.

Locke's proposed legislation, would make conserving and re-using water a top priority throughout Washington. The Department of Health, which currently has programs in those areas, would play a major the role in carrying out the Governor's conservation and re-use proposals. It also would step up enforcement of water laws and allow greater flexibility in managing water use for current and future needs.

"This legislation focuses on fish, but it's also about the people who are living and working and doing business here in the state of Washington," Locke said. "Salmon and humans both need a plentiful supply of clean, cool water to survive. These steps to protect salmon are necessary to secure the preservation of our state's natural resources."

Key provisions of the legislation include:

- Improving agriculture irrigation systems to conserve water.
- Creating efficiency standards for water use.

- Launching projects to re-use treated water where drinking-quality water is not needed.
- Providing funding to purchase privately held water rights and place them in "water trusts" to help restore stream flows.
- Authorizing private entities to hold trust water rights, and thus augment the statewide salmon recovery efforts.
- Establishing a system to account for groundwater withdrawals by new wells.
- Hiring more water-enforcement personnel and raising penalties from a maximum of \$100 to a maximum of \$25,000.

The Department's role in the areas of conservation, re-use, and water system planning is at the heart of the legislation. The Department brings to that role not only a concern for restoring declining fish runs, but a concern for safe and reliable drinking water supplies for the citizens of the state.

The legislation is scheduled for a series of hearings on Tuesday, Thursday, and Friday of next week in the Senate Environmental Quality and Water Resources Committee. The House Agriculture and Ecology Committee also is scheduling hearings. §

LEGISLATIVEINTERNETLINKS

Legislative information can be accessed via the internet. The following are a few links that may be of interest:

Legislative Update Newsletter

http://www.doh.wa.gov/publicat/98_legup.htm

Legislative Information

WWW - <http://www.leg.wa.gov>

Gopher - gopher.leg.wa.gov

FTP - ftp.leg.wa.gov

Email - ftpmail@leg.wa.gov

Washington State House of Representatives

<http://www.leg.wa.gov/www/house/members/housepg.htm>

Washington State Senate

<http://www.leg.wa.gov/www/senate.htm>

Washington State Governor's Home Page

<http://www.wa.gov/governor>

TVW indicates that TVW tentatively plans to televise either LIVE or on a tape delayed basis. For additional information on TVW scheduling or availability, please call TVW at (360) 586-5555, or visit the TVW web site at: www.tvw.org

January 13, 1999

Jennifer Bush

Data and Confidentiality

HB 1262: Year 2000 Computer Problem

Provides that, to the extent funds are available, the Department of Financial Institutions shall provide technical assistance to financial institutions under their jurisdiction in addressing the year 2000 computer problem. Provides that, in conducting examinations, the Department of Financial Institutions shall include an examination of whether the institution has a year 2000 computer problem and the institutions' efforts to address any problems in this area. Provides that the director of the Department of Financial Institutions shall report to the governor and chairs of the legislative committees dealing with financial institutions' issues by July 1, 1999, and October 1, 1999, regarding the potential year 2000 computer problem faced by the state's financial institutions and the implementation of this act. Provides that, to the extent funds are available, the Insurance Commissioner shall provide technical assistance to insurance companies and health carriers in addressing the year 2000 computer problem. Provides that, in conducting examinations, Commissioner shall include an examination of whether the insurer or carrier has a year 2000 computer problem and the insurers' or carriers' efforts to address any problems in this area. Directs the commissioner to report to the governor and chairs of the legislative committees dealing with insurance issues by July 1, 1999, and October 1, 1999, regarding the potential year 2000 computer problem faced by the state's insurers and carriers and the implementation of this act. **House Financial Institutions & Insurance.**

HB 1275: WorkFirst Participation

Amends RCW 74.08A.270 pertaining to good cause reasons for failure to participate in WorkFirst program components. **House Children & Families.**

SB 5160: Surplus Computer Equipment

Provides that a donation may be made only if all of the following conditions have been met: (1) The division of purchasing has made reasonable efforts to determine if any state agency has a requirement for the property and no such agency has been identified. This determination shall follow sufficient notice to all state agencies to allow adequate time for them to make their needs known; (2)

the agency owning the property has authorized the division of purchasing to donate the property in accordance with this section; (3) the nature and quantity of the property in question is directly germane to the needs of the food bank and the purpose for which the food bank exists and the food bank agrees to use the property for such needs and purposes; and (4) the director of general administration has determined that the donation of the property is in the best interest of the state. **Senate State & Local Government.**

SB 5194: Information Technology Management

Defines "information technology portfolio" or "portfolio" as a strategic management process documenting relationships between agency missions and information technology investments. Requires information technology portfolios to reflect: (1) Links among an agency's objectives, business plan, and technology; (2) analysis of the effect of an agency's proposed new technology investments on its existing infrastructure and business functions; and (3) analysis of the effect of proposed information technology investments on the state's information technology infrastructure. **Senate Energy, Technology & Telecommunications.**

SB 5201: Vital Statistic Record Fees

Increases fees for the production of certain records. Repeals RCW 70.58.107. **Senate Health & Long Term Care.**

SB 5240: Birth Defects Surveillance

Repeals RCW 70.58.300, 70.58.310, 70.58.320, 70.58.322, 70.58.324, 70.58.330, 70.58.332, 70.58.334, 70.58.338, 70.58.340, and 70.58.350. **Senate Health & Long Term Care.**

Disease Prevention and Control

HB 1080: Infectious Disease Testing

Declares that the purpose of this act is to provide infectious disease testing at no cost to good samaritans who request testing for infectious diseases after rendering emergency assistance that has brought them into contact with a bodily fluid. **House Health Care.**

HJM 4004: Prostate Cancer Research

Requests that the United States support increased federal funding for prostate cancer research. **House Health Care.**

SB 5172: HIV Testing of Offenders

Requires that local health departments authorized under Chapter 70.24 RCW shall conduct or cause to be conducted pretest counseling, HIV testing, and posttest counseling of all persons who are offenders or arrested or detained persons and who have subjected a law enforcement officer, fire fighter, health care facility staff person, Department of Corrections staff person, jail staff person, or other category of employee, as determined by the board, to substantial exposure to their bodily fluids. Persons tested under this provision shall also be tested for Hepatitis B. **Senate Human Services & Corrections.**

SB 5199: Tuberculosis Control

Revises provisions relating to reporting, treatment, and payment for treatment of tuberculosis. Repeals RCW 70.28.040, 70.28.050, 70.30.072, 70.32.050, 70.32.060, 70.33.030, and 70.33.060. **Senate Health & Long Term Care.**

Environmental Health

HB 1054: Pesticide Registration Commission

Revises provisions relating to the duties of the Commission on Pesticide Registration. **House Agriculture & Ecology.**

HB 1151: Dairy and Food Laws

Updates or repeals dairy or food laws. **House Agriculture & Ecology.**

HB 1152: Pesticide Applicator License

Amends RCW 17.21.187 relating to a pilot project for limited private applicator licenses and rancher private applicator licenses. **House Agriculture & Ecology.**

HB 1163: Illegal Drug Manufacture

Finds that the contamination of properties used for illegal drug manufacturing poses a threat to public health. The toxic chemicals left behind by the illegal drug manufacturing must be cleaned up to prevent harm to subsequent occupants of the properties. Declares an intent that properties are decontaminated in a manner that is efficient, prompt, and that makes them safe to reoccupy. **House Agriculture & Ecology.**

HB 1164: Public Water System Definition

Revises the definition of public water system to include systems providing water through constructed convey-

ances, in conformance with federal law. **House Agriculture & Ecology.**

HB 1182: Coordinated Water Systems

Provides that a coordinated plan must include provisions regarding all of the following: (1) Current and future needs of the systems; (2) plans for meeting all current and future needs of the systems in the most efficient manner possible; (3) current and future service area designations; (4) plans for meeting responsibilities for water service within the designated current service areas; (5) assessment of the feasibility of shared source, transmission, and storage facilities; (6) emergency inter-ties; design standards; and other concerns related to the construction and operation of the water system facilities; and (7) requirements and procedures for periodic updating of the coordinated plan. Provides that, in areas where more than one water system exists, a coordinated plan may consist of either of the following: (1) A new plan developed for the area following its designation as a critical water supply service area; or (2) a compilation of compatible water system plans existing at the time of such designation and containing such supplementary provisions as are necessary to satisfy the requirements of Chapter 70.116 RCW. Declares that, regardless of the source of authority used by a purveyor for the operation of utility services, a purveyor of any water system must comply with the following: (1) Purveyors of any water systems for which current service areas have been designated and incorporated into a coordinated water system plan pursuant to RCW 70.116.070 shall provide water service to property within the designated current service area subject to the provisions of this section. (2) a purveyor may restrict or deny extensions of water service to property within the purveyor's service area based upon any of the following constraints: (a) unforeseen capacity constraints not addressed in the purveyor's comprehensive plan or the coordinated water system plan; (b) unforeseen financial inability to provide infrastructure necessary to serve the property not addressed in the purveyor's comprehensive plan or the coordinated water system plan; (c) water quality constraints which limit the purveyors' ability to provide water service to a property or properties within the purveyors' current service area; (d) local, state, or federal regulations restricting or prohibiting water service to a property or properties within the current service area; or (e) other restrictions upon the purveyor that make service delivery within the service area impossible or impracticable. **House Agriculture & Ecology.**

HB 1264: Water-Sewer Districts

Makes technical corrections regarding combining water-sewer districts. **House Local Government.**

HB 1284: Sand, Gravel, Rock Mining

Directs the Department of Natural Resources to prepare a report to the legislature identifying the status of sand, gravel, and rock deposits, and recommending zoning and extraction practices. Requires the report to include the following: (1) An evaluation of the impacts of sand and gravel excavation in floodplains on the spawning and rearing habitat of salmonid and freshwater species; (2) a recommendation on whether additional controls are needed for sand and gravel extraction in floodplains to protect fish resources; (3) an evaluation of the expected life of known and designated sand and gravel deposits within an economically viable transport distance from major urban areas; (4) an evaluation of current sand, gravel, and rock consumption and projected sand, gravel, and rock consumption trends for the next 50 years; (5) an evaluation of alternative sources of aggregate supply including recycling, reuse, conservation opportunities, and quarried rock; and (6) a recommendation to local governments on mineral resource designation standards to protect known deposits of sand, rock, and gravel to meet projected supply needs. Makes appropriations to carry out the purposes of the act. Provides that the act shall be null and void if appropriations are not approved. **House Natural Resources.**

SB 5045: Mobile Home Park Septic System

Authorizes local governments to require that septic systems be removed in areas designated as critical for aquifer recharging. **Senate Environmental Quality & Water Resources.**

SB 5059: Radioactive Waste Transport

Authorizes counties to assess impact fees to cover the costs associated with the transport of radioactive waste over their roadways. **Senate Environmental Quality Water Resources.**

SB 5067: Uranium and Thorium Mills

Provides that the department shall not approve a license or the renewal of a license for a uranium or thorium mine, mill, or tailing facility, if the license is based on a reclamation, closure, or decommissioning that involves the receipt, storage, permanent impoundment, or disposal of radioactive materials, including uranium or thorium mill tailings and byproduct material, at a licensed site or

proposed licensed site as defined by rule of the department, except where the radioactive materials proposed for receipt, storage, permanent impoundment, or disposal, including uranium or thorium mill tailings and byproduct material, is produced at a mine associated with, and under the same operator or ownership as, the licensed site or proposed licensed site. **Senate Environmental Quality & Water Resources.**

SB 5072: Uranium/Thorium Mills

Includes delivery of a controlled substance to a pregnant woman as an aggravating circumstance in RCW 9.94A.390 and 13.40.150. **Senate Environmental Quality & Water Resources.**

SB 5080: Biomedical Waste Operations

Provides that each facility in the state that deactivates biomedical waste under a solid waste permit shall develop a hazard analysis and critical control points plan. The scope of the plan shall cover the worker health and safety and health risks to the community surrounding the plant. The plan shall be a systematic approach to the identification, evaluation, and control of safety hazards. Provides that the act shall be null and void if appropriations are not approved. **Senate Environmental Quality & Water Resources.**

SB 5081: Biomedical Waste Treatment

Provides that the department of health, in consultation with the department of ecology and local health departments shall evaluate the environmental and public health impacts of biomedical waste treatment technologies. The evaluation shall be consistent with the guidelines established by the state and territorial association on alternative treatment technologies. **Senate Environmental Quality & Water Resources.**

SB 5083: Biomedical Waste Disposal

Requires a study of treatment and disposal methods of biomedical waste. Makes an appropriation of \$100,000 to carry out the purposes of the act. **Senate Environmental Quality & Water Resources.**

SB 5090: Rural County Land Use

Authorizes a rural county to conduct a collaborative procedure for land use and environmental review and permitting of rural economic development projects. Provides that a rural county may: (1) Adopt one economic development project per year as a community economic revitalization project or industrial project of state-wide significance; (2) request funding in addition to other project

funding for coordination and facilitation; (3) appoint or retain a project coordinator and a local permit facilitator; (4) use the collaborative procedure with the project applicant and the relevant state permitting agencies, as an alternative to the consolidated permit review process in this chapter; and (5) invite federal agencies and tribes to participate in the collaborative procedure. Repeals RCW 43.131.387 and 43.131.388. **Senate Agriculture & Rural Economic Development.**

SB 5091: Water Rights Regulators

Declares an intent to establish a more effective method of water resource management in the state of Washington. Declares an intent that this more effective method of water resource management result in a reduction of the backlog of water right applications, enhance the ability of the Department of Ecology to process new water right applications, and facilitate the transfer and productive use of water rights on a willing seller and willing buyer basis. Declares that in order to meet this intent, it is necessary to create a system of locally based water rights regulators, focus on water conservation, actively work to ensure proper water allocation procedures are followed, and rely on a market driven water transfer process. **Senate Environmental Quality & Water Resources.**

SB 5105: Public Water System Definition

Revises the definition of public water system to include systems providing water through constructed conveyances, in conformance with federal law. **Senate Environmental Quality & Water Resources.**

SB 5106: Drugs/Property Contamination

Finds that the contamination of properties used for illegal drug manufacturing poses a threat to public health. The toxic chemicals left behind by the illegal drug manufacturing must be cleaned up to prevent harm to subsequent occupants of the properties. Declares an intent that properties are decontaminated in a manner that is efficient, prompt, and that makes them safe to reoccupy. **Senate Environmental Quality & Water Resources.**

SB 5107: Puget Sound Action Team

Revises the membership of the Puget Sound action team and the interagency advisory council. **Senate Environmental Quality & Water Resources.**

SB 5125: Pesticide Registration Commission

Revises the duties of the commission on pesticide registration. **Senate Agriculture & Rural Economic Development.**

SB 5187: Dairy and Food Laws

Updates or repeals dairy or food laws. **Senate Agriculture & Rural Economic Development.**

SB 5188: Private Pesticide Applicators

Amends RCW 17.21.187 relating to a pilot project for limited private applicator licenses and rancher private applicator licenses. **Senate Agriculture & Rural Economic Development.**

SB 5190: Lakes Management

Declares that lake management service areas may be created and provide lake management services and facilities, including facilities and services to: (1) Maintain and restore lakes; (2) enhance water quality; (3) control and maintain water levels; (4) provide fish ladders and other devices to conserve fish and game fish; (5) divert and treat storm water before its disposal in a lake; (6) control agricultural wastes; (7) study lake water quality problems and solutions; (8) clean and maintain ditches and streams entering or leaving a lake; and (9) provide drainage control, storm water control, and surface water control improvements and activities. Declares an intent, through an aquatic plant management permit program, to create a coordinated, timely, and predictable permit process that will assist property owners and local governments in controlling aquatic plants. Directs the Department of Ecology to establish and administer a demonstration project for the control of Eurasian water milfoil, for the purpose of evaluating the effectiveness of the pesticide 2,4-D at eradicating early infestations. The Department shall authorize one or more demonstration projects. **Senate Environmental Quality & Water Resources.**

SB 5228: Noise Health Effects Study

Declares an intent by this act to authorize a comprehensive review of current federal research studies on the health effects of noise and a review of current state and local noise programs in order to provide greater understanding of opportunities to strengthen such programs as well as further public education regarding the health effects of noise. Provides that, by January 1, 2000, the Department of Health with the guidance of the Board of Health shall provide to the appropriate committees of the Senate and the House of Representatives an assessment of the health effects of noise and recommendations for reducing such effects. Makes an appropriation of \$45,000 for the fiscal year ending June 30, 2000, from the general fund to the Department of Health for the purposes of this act. **Senate Health & Long Term Care.**

SB 5245: Shoreline Management Act

Declares that no rule adopted by the department or by any local government may be construed to change the definitions in RCW 90.58.030. In the event that any rule by the department or by a local government conflicts with the criteria in RCW 90.58.030, the criteria shall control.

Senate Environmental Quality & Water Resources.

SB 5289: Water Resource Management

Finds that numerous fish stocks of the state are being listed or are proposed to be listed as threatened or endangered under the federal Endangered Species Act. The legislature further finds that existing state laws form a good foundation for the state to respond to the listings and proposed listings, but that various laws relating to water resources, land use, and fish protection and restoration must be strengthened to minimize the potential for federal preemption of state authority and autonomy regarding the management of the state's fisheries and water resources. Declares an intent to provide moneys to the Department of Ecology for grants and loans to public bodies engaged in irrigation water supply for the purpose of improved drought preparedness. Provides that each public water system with fifteen or more service connections shall: (1) Implement a water conservation program promotion targeted at system customers; and (2) implement other cost-effective water conservation measures identified in approved water conservation plans required under RCW 43.20.230. Provides that public water systems with one thousand or more service connections shall: (1) Implement a leak detection and repair program, and shall repair leaks if the system's unaccounted for water is ten percent or more of total system water usage; (2) conduct water audits to identify internal water distribution and associated opportunities for improved water use efficiency; and (3) utilize commodity-based water rates and not declining block rate structures. Requires public water systems with fifteen or more service connections to collect monthly water use data from all water sources used to serve the system. Water use data collected under this section shall be submitted annually to the department in a form and manner prescribed by the department. Data collected under this section shall be coordinated with water use data collection requirements of the Department of Ecology. Provides that, in determining whether a proposed short plat, short subdivision, or subdivision meets the requirements for potable water supplies as required under RCW 58.17.060 or 58.17.110, and otherwise serves the public use and interest, the city, town, or county shall require: (1) Con-

formance to any water conservation ordinances or plans adopted by the city, town, or county; (2) utilization of water conservation measures consistent with any regional watershed plan adopted Chapter 90.82.RCW; and (3) utilization of reclaimed water where potable water is not required consistent with any local ordinance adopted on water reuse requirements. Requires the department in consultation with the Department of Health to adopt rules establishing water use efficiency performance standards for various water uses by December 31, 2000. The department shall engage in a negotiated rule-making process involving representatives of interested parties. However, if the participants do not reach consensus by July 1, 2000, the department shall proceed with the adoption of rules using the advice and guidance of the participants to the extent possible. Requires the Department of Ecology, in consultation with the Department of Health and water purveyors, to adopt rules by December 31, 2000, establishing criteria to determine when the use of reclaimed water is feasible to replace potable water supplied for nonpotable water use. Local governments may adopt ordinances requiring the use of reclaimed water for nonpotable uses when determined feasible. Revises provisions relating to water right changes and transfers. Revises provisions regulating public water supply systems. Revises provisions regulating ground water exemptions. Directs the Department of Ecology to convene a group consisting of representatives from major stakeholder groups concerned with water resources management as well as scientists recognized for their expertise in the fields of hydrology, hydrogeology, fish biology, stream ecology, and stream restoration to review, assess, and recommend methods for mitigating the effects caused by proposed ground water withdrawals. The group shall consider all types of mitigation measures. The Department of Ecology shall adopt rules to implement the findings of the group and shall report on the group's progress, findings, and any recommendations for possible legislative action to the legislature by December 31, 1999. Declares that, by agreement under Chapter 39.34 RCW, the director of the Department of Ecology and the director of the Department of Fish and Wildlife are each authorized to delegate and accept law enforcement powers or functions to or from the other department. Provides that, in addition to the elements required by RCW 36.70A.070, a county or city may include in its comprehensive plan an environmental element that identifies and evaluates the environmental impacts and tradeoffs that can reasonably be foreseen by adoption

and implementation of the plan. Requires the environmental element to address system and area-wide improvements and environmental elements and cumulative impacts, including critical areas and shorelines of the state, endangered or threatened species habitats, watersheds, water quality, ground water movement, air quality, historic and cultural resources, utilities, transportation, and public services. Revises shoreline management provisions. Makes appropriations to carry out the purposes of the act. **Senate Environmental Quality & Water.**

SB 5290: Aquatic Weeds Management

Revises the freshwater aquatic weeds management program by clarifying funding and creating an advisory committee. **Senate Environmental Quality & Water.**

SB 5308: Sand, Gravel, Rock Mining

Directs the Department of Natural Resources to prepare a report to the legislature identifying the status of sand, gravel, and rock deposits, and recommending zoning and extraction practices. Requires the report to include the following: (1) An evaluation of the impacts of sand and gravel excavation in floodplains on the spawning and rearing habitat of salmonid and freshwater species; (2) a recommendation on whether additional controls are needed for sand and gravel extraction in floodplains to protect fish resources; (3) an evaluation of the expected life of known and designated sand and gravel deposits within an economically viable transport distance from major urban areas; (4) an evaluation of current sand, gravel, and rock consumption and projected sand, gravel, and rock consumption trends for the next 50 years; (5) an evaluation of alternative sources of aggregate supply including recycling, reuse, conservation opportunities, and quarried rock; and (6) a recommendation to local governments on mineral resource designation standards to protect known deposits of sand, rock, and gravel to meet projected supply needs. Makes appropriations to carry out the purposes of the act. Provides that the act shall be null and void if appropriations are not approved. **Senate Natural Resources, Parks & Recreation.**

SB 5321: Public Facility Siting

Finds that current processes for the siting and operation of major regional public facilities often fail to adequately address regional and localized impacts and benefits of such facilities. Throughout the state there are proposals for siting major public facilities in which surrounding neighborhoods and communities will be disproportionately

impacted while the benefits of the facility are provided to the larger region or to the entire state. These facilities include major transportation facilities such as highways, bridges, airports, and rail lines, and other nontransportation facilities such as prisons and landfills. Finds that although the growth management act provides procedures for establishing county-wide policies for coordinated planning of such facilities, those procedures do not include all public entities that provide such facilities and do not provide sufficient guidance to local jurisdictions to ensure consideration and mitigation of impacts to surrounding communities and participation in siting processes by those communities. Declares an intent to ensure that these considerations are incorporated into the county-wide planning policies required under the growth management act, and to provide sufficient authority so that siting decisions and mitigation measures adopted through using such policies may be fully implemented. **Senate State & Local Government.**

SB 5354: Geoduck Divers Insurance

Provides that, after July 1, 1999, the director shall issue no new geoduck diver licenses unless fewer than fifty persons are eligible for renewal. A person may renew an existing license only if the person held a geoduck diver license for five of the eight years 1991 through 1998 or acquired the license by transfer from someone who held it during the previous year, and if the person has not subsequently transferred the license to another person. Provides that, if fewer than fifty persons are eligible to renew a geoduck diver license, the director may accept applications for new licenses. **Senate Natural Resources, Parks & Recreation.**

SJM8006: Federal Environmental Mandates

Requests that the United States Congress review the impact of federal environmental mandates on rural areas and consider whether changes to these laws are warranted. **Senate Environmental Quality & Water.**

Families and Children

HB 1058: Juvenile Violence Deterrence

Declares an intent to develop a grant program to fund research-based prevention and early intervention programs targeting youth and their families when the youth has not yet entered the juvenile justice system. Makes an appropriation of five million dollars to carry out the purposes of the act. **House Criminal Justice & Corrections.**

HB 1064: Community Use of Schools

Provides that, in addition to the maximum dollar amount that may be levied by any school district for maintenance and operation support under RCW 84.52.0531, a supplemental levy for use of school facilities for community activities and services may be authorized by the directors of any school district and approved at a general or special election. Declares that such supplemental levy shall not exceed three percent of the district's levy base as determined by RCW 84.52.0531(3) and may only be used for community activities and services authorized by the school district Board of Directors. **House Education.**

HB 1134: Child Abandonment

Declares that knowingly leaving a child under the age of five years old unattended for a period of one hour or more creates a rebuttable presumption that the child has been recklessly abandoned under circumstances creating an imminent and substantial risk of substantial bodily harm to the child. House Criminal Justice & Corrections.

HB 1180: Youthbuilt Program

Revises provisions relating to the Washington Youthbuilt Program. Makes appropriations to carry out the purposes of the act. Repeals RCW 50.67.030. **House Economic Development, Housing & Trade.**

HB 1181: Domestic Violence Perpetrator

Provides that, if the perpetrator or the victim has a minor child, treatment must specifically include education regarding the effects of domestic violence on children, such as the emotional impacts of domestic violence on children and the long-term consequences that exposure to incidents of domestic violence may have on children, and parenting skills to help the perpetrator control the events or behavior that lead to incidents of domestic violence. Provides that in sentencing an offender convicted of a crime of domestic violence, as defined in RCW 10.99.020, if the offender has a minor child, or if the victim of the offense for which the offender was convicted has a minor child, the court may, as part of any term of community supervision, order the offender to participate in a domestic violence perpetrator program approved under RCW 26.50.150. **House Criminal Justice & Corrections.**

HB 1244: Family Services

Provides that the following sums, or as much thereof as may be necessary, are appropriated to the Children and

Family Services Division of the Department of Social and Health Services: \$1,962,000 from the general fund for the fiscal year ending June 30, 2000, and \$1,963,000 from the general fund for the fiscal year ending June 30, 2001. The amounts in this section are provided solely for the operating of the Family Policy Council and the Community Public Health and Safety networks. **House Appropriations.**

SB 5014: Employer Sponsored Childcare

Provides economic incentives for employer-sponsored child care benefits. Takes effect January 1, 2000. **Senate Labor & Workforce Development.**

SB 5069: Child Care Access

Provides child care payments to persons complying with P.L. 104-193 and the Washington WorkFirst program. **Senate Labor & Workforce Development.**

SB 5070: Controlled Substance Delivery

Includes delivery of a controlled substance to a pregnant woman as an aggravating circumstance in RCW 9.94A.390 and 13.40.150. **Senate Judiciary.**

SB 5131: Day Care Liability Insurance

Provides that every licensed child day-care center and family day-care provider shall, at the time of licensure or renewal and at any inspection, provide to the department proof that the licensee has day-care insurance as defined in RCW 48.88.020 or for day-care centers, is self-insured pursuant to chapter 48.90 RCW. Liability limits under this section shall be the same as set forth in RCW 48.88.050. **Senate Human Services & Corrections.**

SB 5132: Child Care Service Information

Requires every child day-care center and family day-care provider to prominently post the following items, clearly visible to parents and staff: (1) The license issued under this chapter; (2) the notice of any pending enforcement action. The notice must be posted immediately upon receipt. The notice must be posted for at least two weeks or until the violation causing the enforcement action is corrected, whichever is longer; (3) a notice that inspection reports and any notices of enforcement actions for the previous three years are available from the licensee and the department; and (4) any other information required by the department. Requires every child day-care center and family day-care provider to have readily available for review by the department, parents, and the public a copy

of each inspection report and notice of enforcement action received by the center or provider from the department for the past three years. Directs the department to place a child day-care center or family day-care provider on nonreferral status or stop placement status if the center or provider has failed or refused to comply with chapter 74.15 RCW or rules adopted under that chapter and an enforcement action has been taken. Directs the department to establish and maintain a toll-free telephone number for communication of information regarding child day-care centers and family day-care providers. The number shall be published in reasonably available printed and electronic media. The number shall be easily identifiable as a number for communication of information as set forth in this act. **Senate Human Services & Corrections.**

SB 5141: Newborn Screening Service Fee

Authorizes the Department of Health to charge a fee for newborn screening services. **Senate Health & Long Term Care.**

SB 5277: Higher Ed Student Child Care

Provides that, through this program the board may award on a competitive basis child care grants to state institutions of higher education to encourage programs to address the need for high quality, accessible, and affordable child care for students at higher education institutions. **Senate Higher Education.**

SB 5279: Child Mental Health Treatment

Declares an intent of the legislature that children in the custody of the Department Social and Health Services be provided the most appropriate possible mental health care consistent with the child's best interests, medical need for mental health treatment, available state and community resources, family reconciliation, and professional standards of medical care. Intends that no placement of minors for mental health treatment under this act be made on any other basis and that consideration always be given to treatment in the least restrictive manner. Provides that, not later than December 1st of each year, the secretary shall provide the governor and legislature a report setting forth: (1) The number of minor children under the jurisdiction of the department who have been placed in mental health inpatient treatment; (2) the facilities that received minor children for treatment; (3) the number of minor children treated at each facility; and (4) the number of inpatient treatment days provided at each facility for each child. **Senate Human Services & Corrections.**

SB 5293:1 Family Leave

Revises provisions relating to family leave. **Senate Labor & Workforce Development.**

SB 5295: Breastfeeding

Declares that the act of breastfeeding or expressing breast milk is not indecent exposure. Provides that, except where reasonable safety or security considerations require other options, an employer must make reasonable efforts to provide a convenient, sanitary, safe, private, and comfortable room or other location, in close proximity to the work area, other than a restroom, where the employee can express her milk in privacy. **Senate Labor & Workforce Development.**

SB 5311: Body Piercing

Prohibits engaging in body piercing on persons under the age of eighteen. **Senate Judiciary.**

SB 5327: Abortion/Parent Notification

Declares that the purpose of the legislature in enacting this parental notification law is to further the important and compelling state interests of: (1) Protecting the constitutional rights of parents to rear children who are members of their household; (2) fostering family unity and preserving the family as a viable social unit; and (3) reducing teenage pregnancy and unnecessary abortion. Provides that a physician may not perform an abortion upon an unemancipated minor or upon an incompetent person unless the physician has given forty-eight hours actual notification to a custodial parent or to the guardian of the pregnant unemancipated minor or pregnant incompetent person of his or her intention to perform the abortion. Provides that, if the unemancipated minor or incompetent person declares in a signed written statement that she is a victim of sexual abuse, neglect, or physical abuse by either of her parents or her guardian, the attending physician shall provide the notification required by this act to a brother or sister of the unemancipated minor or incompetent person who is over twenty-one years of age, or to a stepparent or grandparent specified by the unemancipated minor or incompetent person. Declares that a parent, guardian, or other person must not coerce an unemancipated minor or incompetent person to have an abortion performed. If an unemancipated minor or incompetent person is denied necessary food, clothing, or shelter by the parents or guardian of the unemancipated minor or incompetent person related to the minor's or incompetent person's refusal to have an abortion performed, the unemancipated minor or incompetent person is considered dependent under Chapter 13.34

RCW. Authorizes the unemancipated minor or incompetent person to petition a superior court for a waiver of the notification requirement and to participate in proceedings on her own behalf. The petition must include a statement that the complainant is pregnant and is an unemancipated minor or incompetent person. The court must appoint a guardian ad litem for her. A guardian ad litem appointed under this section must act to maintain the confidentiality of the proceedings. The court must advise the unemancipated minor or incompetent person that she has a right to court-appointed counsel and provide the counsel upon request. Declares that any physician who intentionally performs an abortion with knowledge that or with reckless disregard as to whether the person upon whom the abortion is to be performed is an unemancipated minor or an incompetent person without providing the required notification is guilty of a gross misdemeanor. **Senate Health & Long Term Care.**

Fiscal

HB 1035: Transportation Budget

Provides supplemental funding and appropriations for transportation. **House Transportation.**

HB 1125: Transportation Budget

Provides funding and appropriations for transportation for the 1999-01 biennium. **House Transportation.**

HB 1165: Capital Budget

Makes appropriations and authorizes expenditures for capital improvements. **House Capital Budget.**

HB 1167: Capital Budget/ Supplemental

Makes supplemental appropriations and authorizes expenditures for capital improvements. **House Capital Budget.**

HB 1186: Operating Budget

Makes appropriations and authorizes expenditures for the operations of state agencies for the fiscal biennium beginning July 1, 1999, and ending June 30, 2001. **House Appropriations.**

HB 1187: Operating Budget/ Supplemental

Makes supplemental appropriations for the 1997-99 biennium. **House Appropriations.**

HB 1256: Women's Health

Authorizes the Secretary of Health to accept such grants, services, and property from the federal government, foundations, organizations, medical schools, and other entities as are available for the purposes of activities and services to promote women's health. **House Health Care.**

SB 5180: Operating Budget

Makes appropriations and authorizes expenditures for the operations of state agencies for the fiscal biennium beginning July 1, 1999, and ending June 30, 2001. **Senate Ways & Means.**

SB 5181 Operating Budget/ Supplemental

Makes supplemental appropriations for the 1997-99 biennium. **Senate Ways & Means.**

SB 5182 Capital Budget

Makes appropriations and authorizes expenditures for capital improvements. **Senate Ways & Means.**

SB 5183 Capital Budget/ Supplemental

Makes supplemental appropriations and authorizes expenditures for capital improvements. **Senate Ways & Means.**

SB 5189: Transportation Budget

Provides funding and appropriations for transportation programs for the 1999-01 biennium. **Senate Transportation.**

SB 5250: Women's Health Programs

Authorizes the secretary to accept such grants, services, and property from the federal government, foundations, organizations, medical schools, and other entities as are available for the purpose of designing and implementing programs that specifically address the health-related needs of women. **Senate Health & Long Term Care.**

Injury Prevention

HB 1069: Multiple Deaths Investigation

Authorizes the expenditure of up to \$250,000 per biennium from the death investigations account established by RCW 43.79.445 for the purpose of assisting local jurisdictions in the investigation of multiple deaths involving unanticipated, extraordinary, and catastrophic events, or involving multiple jurisdictions. **House Local Government.**

HB 1124: DUI Electronic Monitoring

Provides that a court may waive the electronic home monitoring requirements of Chapter 46.61 RCW when: (1) The offender does not have a dwelling, telephone service, or any other necessity to operate an electronic home monitoring system; (2) the offender does not reside in the state of Washington; or (3) the court determines that there is reason to believe that the offender would violate the conditions of the electronic home monitoring penalty. Requires that, whenever the mandatory minimum term of electronic home monitoring is waived, the court shall state in writing the reason for granting the waiver and the facts upon which the waiver is based, and shall impose an alternative sentence with similar punitive consequences. **House Judiciary.**

HB 1153: School Safety Information

Provides that when enrolling a student who has attended school in another school district, the school enrolling the student may request the parent and the student to briefly indicate in writing whether or not the student has a history of violent behavior or behavior listed in RCW 13.04.155. Requires parents to provide to schools information requested under this act. If a parent fails to provide information requested under this act, the school district may suspend, transfer, or expel the student, as appropriate, upon learning the information if the school district could have denied the student admission based upon the information or would have placed the student in an alternative placement. School districts shall advise parents of the consequences of the failure to provide the requested information. Directs law enforcement and prosecuting attorneys to cooperate with schools in releasing information to a school pertaining to the investigation, diversion, and prosecution of a juvenile supervised by the school. Incident reports shall be released unless releasing the records would jeopardize the investigation or prosecution or endanger witnesses. **House Education.**

HB 1156: Motor Carrier Drug Testing

Requires any person or entity operating as a motor carrier to comply with the requirements under the United States Department of Transportation federal motor carrier safety regulations for implementing a motor vehicle driver drug testing program. Declares that any person or entity in violation of this provision shall be fined \$5,000 and an additional \$500 for each motor vehicle driver employed by the person or entity who is not in compliance with the motor vehicle driver drug testing requirements. Declares that no person or entity may operate as a

motor carrier who is not in compliance with this act. **House Transportation.**

HB 1168: School Safety

Provides that a police officer shall arrest without a warrant and take into custody, pending release on bail, personal recognizance, or court order, a person who the officer has probable cause to believe has willfully refused to obey a valid order to leave school grounds under this act. **House Education.**

HB 1196: Concealed Pistol Permits

Declares that a "concealed pistol license" as used in RCW 9.41.050 means a license issued under the provisions of RCW 9.41.070 or an out-of-state license, permit, or other document authorizing an individual to carry a concealed firearm issued in accordance with the provisions of the law of a state or territory of the United States, or any other political subdivision within the United States but also outside the state of Washington. **House Judiciary.**

HB 1200: Drunk Driver Jurisdiction

Extends the jurisdiction of limited jurisdiction courts to five years after imposition of sentence for a defendant sentenced under RCW 46.61.5055. Provides, however, the jurisdiction period in this act does not apply to the enforcement of orders issued under RCW 46.20.720. **House Judiciary.**

HB 1211: Sex Offender Registry

Provides that, with regard to sex offenders, the Washington State Patrol shall maintain an internet site containing the following information from the central registry: Name, current address, crime for which convicted, and date and place of conviction. The state patrol shall make this information available to the public in paper form upon request. **House Criminal Justice & Corrections.**

HB 1223: Motorcycle Equipment

Revises motorcycle equipment laws. **House Transportation.**

SB 5017: Firearms Access by Minors

Declares that, except as provided in this act, a person shall not store or keep a loaded firearm on premises under his or her control if he or she knows or reasonably should know that a minor is likely to gain access to the firearm without: (1) The lawful permission of the minor's parent or the person having charge of the minor; or (2) the supervision required by law. Provides that it is a misdemeanor if a person violates this act and, as a result

thereof, a minor gains access to a firearm and possesses or exhibits it, without the supervision required by law: (1) In a public place; or (2) in a reckless or criminally negligent manner. Provides that it is a class C felony if a person violates this act and, as a result thereof, a minor gains access to a firearm and uses it to inflict injury or death upon himself or herself, or any other person. Provides that, as used in this act, "minor" means a person under the age of sixteen. **Senate Judiciary.**

SB 5136: Domestic Violence/Unemployment

Authorizes the compensation if the claimant has qualified under RCW 50.20.050(2)(d) and the claimant is temporarily unable to actively search for employment because the claimant is seeking safety or relief for the claimant or the claimant's immediate family members from domestic violence or stalking. **Senate Labor & Workforce Development.**

SB 5211: Drunk Driver Jurisdiction

Extends the jurisdiction of limited jurisdiction courts to five years after imposition of sentence for a defendant sentenced under RCW 46.61.5055. Provides, however, the jurisdiction period in this act does not apply to the enforcement of orders issued under RCW 46.20.720. **Senate Judiciary.**

SB 5212: School Safety Plans

Declares an intent to improve student safety by encouraging school districts to revise and update their crisis and emergency plans and provide additional training to staff in the implementation of those plans. Finds that crisis planning will prevent catastrophic events from escalating into schoolwide chaos, will minimize damage, and will help students, staff, and parents recover from the crisis. Creates the school safety grant program to provide grants, to the extent funds are appropriated, to school districts to update the crisis and emergency response plan for every school in their district and to train staff in the implementation of the plans. **Senate Education.**

SB 5214: Firearms on School Premises

Requires that any juvenile at least ten years of age and under the age of 18 arrested on charges of a violation of RCW 9.41.280 shall be detained and confined by the arresting law enforcement agency for a minimum of 24 hours unless released from custody by a judicial authority after a determination regarding probable cause or sooner on bail. Requires an appropriate school authority, upon the arrest of a student for a violation of RCW 9.41.280, to immediately cause a search to be made of

the student's locker and any of the student's possessions on the school grounds pursuant to Chapter 28A.600 RCW. The search shall be made to determine whether there are items in the locker or possessions of the student in violation of this provision. Any items found as a result of the search shall be given to the appropriate law enforcement authority. Provides that, upon arrest of any person under the age of 18 years on charges of a violation of RCW 9.41.280, the arresting law enforcement agency shall refer the arrested person to the county designated mental health professional pursuant to Chapter 71.34 RCW. **Senate Education.**

SB 5235: Sex Offender Exam & Treatment

Provides that sex offender examinations and treatment ordered as a special condition of community placement or community custody under this act shall be conducted only by sex offender treatment providers certified by the Department of Health under Chapter 18.155 RCW unless the court finds that: (1) The offender has already moved to another state or plans to move to another state for reasons other than circumventing the certification requirements; (2) no certified providers are available for treatment within a reasonable geographic distance of the offender's home; and (3) the evaluation and treatment plan comply with the rules adopted by the Department of Health. **Senate Human Services & Corrections.**

SB 5287: Motorcycle Equipment

Revises motorcycle equipment laws. **Senate Transportation.**

SB 5291: Road Rage

Declares an intent to reduce the deaths, injuries, and property damage resulting from inappropriate aggressive driving. Does not recognize aggressive driving as a defense or mental disorder in criminal or civil litigation, and does not intend to reform or affect the law on self-defense. Requires the department to suspend for sixty days the license or permit to drive or a nonresident driving privilege of a person convicted of aggressive driving. **Senate Judiciary.**

SB 5294: Firearms Storage

Declares that a person is guilty of reckless endangerment if the person stores or leaves a loaded firearm in a location where the person knows, or reasonably should know, that a child is likely to gain access, and a child obtains possession of the loaded firearm. Does not apply if: (1) The firearm is secured in a locked box, gun safe, other secure locked storage space, or secured with a lock or any

device that prevents the firearm from discharging; (2) the child's access to the firearm is supervised by an adult; (3) the child's access to the firearm was obtained as a result of an unlawful entry; or (4) the child's access to the firearm was in accordance with RCW 9.41.042. Provides that, when selling any firearm, every dealer shall offer to sell or give the purchaser a locked box, gun safe, a lock, or any device that prevents the firearm from discharging. **Senate Judiciary.**

SB 5323: Motorcycle Handlebars

Declares that no person shall operate on a public highway a motorcycle in which the handlebars or grips are more than thirty inches higher than the seat or saddle for the operator. **Senate Transportation.**

SB 5358: Motorcycle Handlebars

Repeals RCW 46.61.611. **Senate Transportation.**

Insurance

SB 5111: Genetic Information/Health Insurance

Declares that a health carrier may not deny or cancel health plan coverage, or vary the premiums, terms, or conditions for health plan coverage, for an individual or a family member of an individual: (1) On the basis of genetic information; or (2) because the individual or family member of an individual has requested or received genetic services. **Senate Health & Long Term Care.**

SB 5112: Mastectomies/Health Insurance

Requires every health carrier and every state purchased health care plan that provides coverage for mastectomies to permit the attending provider, in consultation with the patient, to make decisions on the length of inpatient stay, rather than making such decisions through contracts or agreements between providers, hospitals, and insurers. These decisions must be based on accepted medical practice. **Senate Health & Long Term Care.**

SB 5349: Cranial Hair Insurance

Requires insurance coverage for cranial hair prostheses for alopecia areata. **Senate Health & Long Term Care.**

SB 5355: Medicare Replacement Policies

Revises provisions relating to mandated coverage for Medicare replacement policies. **Senate Health & Long Term Care.**

Professional/Facilities Licensing

HB 1000: Counselors/Privileged Communication

Provides that communications between certified counselors and their clients are privileged. **House Judiciary.**

HB 1073: Hospital District Bid Process

Authorizes a public hospital district to use the contracting processes provided in RCW 39.04.155; however, public hospital districts may only use the small works roster process for projects estimated to cost less than \$50,000. **House State Government.**

HB 1113: Occupational Therapy

Requires an occupational therapist to, after evaluating a patient and if the case is a medical one, refer the case to a physician for appropriate medical direction if such direction is lacking. Treatment by an occupational therapy practitioner of such a medical case may take place only upon the referral of a physician, osteopathic physician, podiatric physician and surgeon, naturopath, chiropractor, physician assistant, clinical psychologist, or advanced registered nurse practitioner licensed to practice in this state. **House Health Care.**

HB 1135: Privileged Communications

Declares that any communication or information acquired by any emergency service provider involved in a peer support counseling session conducted by a peer support group counselor is confidential and shall not be disclosed by any party attending the group counseling session, except to the extent necessary to provide assistance pursuant to the counseling session. **House Judiciary.**

HB 1214: Medical Records Notification

Requires that, upon retirement or relocation of practice at another health care facility, a health care provider shall notify in writing at the last known address every patient for whom a personal record of health care information is maintained by the provider. **House Health Care.**

HB 1216: Secretary of Health Authority

Deletes the provision terminating the Secretary of Health's authority for administrative procedure on March 1, 1999. **House Health Care.**

HB 1217: Hospital Licensing Information

Provides that information received by the department through filed reports, inspection, or as otherwise authorized under this Chapter, may be disclosed publicly, as

set forth under Chapter 42.17 RCW, except: (1) Licensing inspections, or complaint investigations, may be disclosed no sooner than three business days after the hospital has received the resulting assessment report; and (2) information regarding administrative action against the license may be disclosed after the hospital has received the documents initiating the administrative action. Provides that the department, the joint commission on accreditation of health care organizations, and any other accrediting organization may review and audit the records of a quality improvement committee or peer review committee in connection with their inspection and review of hospitals. Information so obtained shall not be subject to the discovery process, and confidentiality shall be respected. **House Health Care.**

HB 1218: Nurse Delegation of Tasks

Provides that a nursing assistant meeting the requirements of RCW 18.88A.210 who provides care to individuals in community-based care settings, as defined in RCW 18.79.260(3), may accept delegation of nursing care tasks by a registered nurse as provided in RCW 18.79.260(3). Repeals RCW 18.88A.220 and 18.88A.240. **House Health Care.**

HB 1235: Health Records Fees

Provides that no fee shall be charged for furnishing recorded health care information to a patient, his or her attorney, or authorized representative, if the information is requested for the purpose of supporting a claim or appeal under any provision of the Social Security Act or any federal or state financial needs-based benefit program, and the request is accompanied by documentation of the claim or appeal. **House Health Care.**

HB 1251: Boards, Commissions, and Programs

Eliminates and consolidates boards, commissions, and programs. **House State Government.**

SB 5006: Animal Pregnancy Testing

Exempts animal pregnancy testing from veterinary licensing requirements. **Senate Agriculture & Rural Development.**

SB 5050: Intractable Pain Treatment.

Declares that health professionals licensed in this state to prescribe controlled substances may treat intractable pain with controlled substances included in Schedules II through V as identified in title 69 RCW. Does not authorize treatment of conditions other than intractable pain

with controlled substances included in Schedules II through V. Provides that the licensing entity for health professionals licensed in this state to prescribe controlled substances shall not take action against the health professional's license, if the health professional follows the accepted standard of care for treatment of intractable pain with controlled substances and the licensed health professional obtains informed consent. Declares that prescription of controlled substances included in Schedules II through V for intractable pain by a health professional licensed in this state to prescribe controlled substances is not a criminal offense. **Senate Health & Long Term Care.**

SB 5082: Biomedical Waste Inactivation

Declares that, beginning January 1, 2001, cultures and stocks that are infectious to humans generated at microbiological laboratories shall be treated to accomplish microbial inactivation before being transported from the facility. Requires the Department to adopt, by rule, a surcharge on the license fee in this section for medical test sites licensed in microbiology to generate twenty thousand dollars per biennium to administer this act. **Senate Environmental Quality & Water Resources.**

SB 5114: Hospital Annual Inspections

Provides an exemption from annual inspections for hospitals accredited by the American osteopathic association. **Senate Health & Long Term Care.**

SB 5138: Body Art Facilities

Directs the state board of health to adopt rules for the purpose of permitting local health jurisdictions to regulate body art operators and body art facilities. These rules shall establish requirements regarding: (1) Minimum standards for facility cleanliness and education of body artists; (2) incorporation of national standards as developed by nationally recognized organizations with extensive expertise in body art; (3) knowledge and practice by operators of universal precautions, and requirements for sanitation, personal hygiene, sterilization, and aftercare requirements to prevent transmission of disease; (4) appropriate exemptions for physicians and other medical personnel performing within their legal scope of practice; and (5) requirements for disclosure of the health risks, aftercare requirements, and contacts at the local health department to whom complaints or inquiries may be addressed to customers or potential customers of body art. **Senate Health & Long Term Care.**

SB 5149: Occupational Therapy

Requires an occupational therapist to, after evaluating a patient and if the case is a medical one, refer the case to a physician for appropriate medical direction if such direction is lacking. Treatment by an occupational therapy practitioner of such medical case may take place only upon the referral of a physician, osteopathic physician, podiatric physician and surgeon, naturopath, chiropractor, physician assistant, clinical psychologist, or advanced registered nurse practitioner licensed to practice in this state. **Senate Health & Long Term Care.**

SB 5200: Secretary of Health Authority

Deletes the provision terminating the Secretary of Health's authority for administrative procedure on March 1, 1999. **Senate Health & Long Term Care.**

SB 5216: Podiatric Physician/Surgeon

Authorizes podiatric physicians and surgeons to become physician assistants. **Senate Health & Long Term Care.**

SB 5224: Public Hospital District Bidding

Authorizes a public hospital district to use the contracting processes provided in RCW 39.04.155; however, public hospital districts may only use the small works roster process for projects estimated to cost less than \$50,000. **Senate State & Local Government.**

SB 5262: Sleep Monitoring

Declares that RCW 18.89.040 does not prohibit any person from performing sleep monitoring tasks as set forth in that section under the supervision or direction of a licensed health care provider. **Senate Health & Long Term Care.**

SB 5312: Health Care Workplace Violations

Requires that, by July 1, 2000, each health care setting shall develop and implement a plan to reasonably prevent and protect employees from violence at the setting. Requires that, before the development of the plan required under this act, each health care setting shall conduct a security and safety assessment to identify existing or potential hazards for violence and determine the appropriate preventive action to be taken. The assessment shall include, but is not limited to, a measure of the frequency of, and an identification of the causes for and consequences of, violent acts at the setting during at least the preceding five years. Provides that, in developing the plan required by this act, the health care setting shall consider any guidelines on violence in the workplace or in health

care settings issued by the Department of Health, the Department of Social and Health Services, the Department of Labor and Industries, the federal Occupational Safety and Health Administration, Medicare, and health care setting accrediting organizations. Provides that, by July 1, 2001, and on a regular basis thereafter, each health care setting shall provide violence prevention training to all its employees. **Senate Health & Long Term Care.**

SB 5313: Mental Health Record Audits

Requires that every health carrier that provides coverage for any outpatient mental health service shall comply with the following requirements: (1) In performing a utilization review of mental health services for a specific enrollee, the person performing the utilization review is limited to accessing only the specific health care information for the particular enrollee in question that is necessary to complete the review. (2) In performing an audit of mental health services, the person performing the audit is limited to accessing only the records of persons covered by the specific health carrier for which the audit is being performed, except as otherwise permitted by RCW 70.02.050 and 71.05.630. **Senate Health & Long Term Care.**

Regulatory Reform

HB 1001: Ethics in Public Service

Changing ethics in public service provisions. **House State Government.**

HB 1010: Rural Distressed Areas

Provides: (1) A strategically designed plan of assistance, emphasizing state, local, and private sector leadership and partnership; (2) a comprehensive and significant array of business assistance, services, and tax incentives that are accountable and performance driven; (3) an array of community assistance including infrastructure development and business retention, attraction, and expansion programs that will provide a competitive advantage to rural distressed areas throughout Washington; and (4) regulatory relief to reduce and streamline zoning, permitting, and regulatory requirements in order to enhance the capability of businesses to grow and prosper in rural distressed areas. Creates the state Office of Business Assistance and recruitment for rural distressed areas. **House Economic Development, Housing & Trade.**

HB 1040: Rural Distressed Areas

Declares the goals of this act are to: (1) Promote and retain the operation of businesses in rural distressed areas; (2) promote the expansion of existing businesses in rural distressed areas; (3) attract new businesses to rural distressed areas; (4) assist in the development of new businesses from within rural distressed areas; (5) provide family wage jobs to the citizens of rural distressed areas; and (6) promote the development of communities of excellence in rural distressed areas. Establishes within the Department of Community, Trade, and Economic Development the Office of Business Assistance, and recruitment for rural distressed areas. Requires the joint legislative Audit and Review Committee to design an evaluation mechanism for economically distressed counties under this act and undertake an evaluation of this act's effectiveness by November 1, 2003. The agencies implementing the programs under this act shall assist the Joint Legislative Audit and Review Committee evaluation.

House Economic Development.

HB 1088: Economic Development Finance Authority

Defines economic development activities for the Washington economic development finance authority.

Declares that economic development activities means activities related to: Manufacturing, processing, research, production, assembly, tooling, warehousing, airports, docks and wharves, mass commuting facilities, high-speed intercity rail facilities, public broadcasting, pollution control, solid waste disposal, federally qualified hazardous waste facilities, energy generating, conservation, transmission facilities, sports facilities, industrial parks, and activities conducted within a federally designated enterprise or empowerment zone or geographic area of similar nature. **House Economic Development, Housing & Trade.**

HB 1239: Civil Service Reform

Directs the board to conduct a comprehensive review of all rules in effect on the effective date of this act governing the classification, allocation, and reallocation of positions within the classified service. In conducting this review, the board shall consult with state agencies, institutions of higher education, employee organizations, and members of the general public. The department shall assist the board in the conduct of this review, which shall be completed by the board no later than July 1, 2000. Provides that, by March 15, 2001, the board shall adopt new rules governing the classification, allocation, and reallocation of positions in the classified service. In adopting such rules, the board shall adhere to the following

goals: (1) To improve the effectiveness and efficiency of the delivery of services to the citizens of the state through the use of current personnel management processes and to promote a workplace where the overall focus is on the recipient of governmental services; (2) to develop a simplified classification system that will substantially reduce the number of job classifications in the classified service and facilitate the most effective use of the state personnel resources; (3) to develop a classification system to permit state agencies to respond flexibly to changing technologies, economic and social conditions, and the needs of its citizens; (4) to value workplace diversity; (5) to facilitate the reorganization and decentralization of governmental services; and (6) to enhance mobility and career advancement opportunities. Authorizes a department, agency, or institution of higher education to purchase services provided by employees in classified service under this chapter by contracting with individuals, non-profit organizations, businesses, or other entities. Requires any department, agency, or institution of higher education that intends to purchase services under this act to demonstrate that the contract results in savings or efficiency improvements. Abolishes the personnel appeals board and its powers, duties, and functions are hereby transferred to the Washington Personnel Resources Board. Provides for collective bargaining reform. Declares that nothing contained in this act permits or grants to any employee the right to strike or refuse to perform his or her official duties. Designates what constitutes unfair labor practices and designates procedures to remedy violations. Provides that all powers, duties, and functions of the Department of Personnel pertaining to collective bargaining are transferred to the Public Employment Relations Commission except mediation of grievances and contracts, arbitration of grievances and contracts, and unfair labor practices, filed under a collective bargaining agreement existing before the effective date of this act. Creates the Office Financial Management's labor relations service account in the custody of the State Treasurer to be used as a revolving fund for the payment of labor relations services required for the negotiation of the collective bargaining agreements entered into under this act. Repeals various existing statutes. **House State Government.**

HB 1245: Business Siting Information

Declares that, notwithstanding the provisions of RCW 42.17.260 through 42.17.340, the following information supplied to the Department of Community, Trade, and Economic Development by any person in connection

with the siting, recruitment, expansion, retention, or relocation of that person's business shall not be made available to the public: (1) Financial or proprietary information; and (2) until a siting decision is made, the name of any person supplying information under this provision and the location(s) being considered for siting, relocation, or expansion of a business. **House State Government.**

SB 5018: Permit Assistance Center

Directs the center to provide a periodic report to the legislature that: (1) Provides policy and operational recommendations for streamlining and coordinating environmental permitting in Washington; and (2) summarizes the results of the center's efforts to measure center performance and outcomes over time. Repeals RCW 43.131.387 and RCW 43.131.388. **Senate Environmental Quality & Water Resources.**

SB 5066: Legislative Reporting Requirements

Provides that if a state agency has a legislatively mandated requirement to report to the legislature or legislative committees regarding a specific matter by a date certain and the agency either fails to report to the legislature by the specified time or provides a report that is insufficiently responsive to the legislation requiring the report, the legislature, by concurrent resolution, shall impose a \$100,000 penalty. **Senate State & Local Government.**

SB 5148: Permit Assistance Center

Revises provisions relating to the Permit Assistance Center. Repeals RCW 43.131.387 and 43.131.388. **Senate Environmental Quality & Water Resources.**

SB 5152: Collective Bargaining

Provides that confidential employee means: (1) Any person who participates directly on behalf of an employer in the formulation of labor relations policy, the preparation

SB 5167: Rural Development

Authorizes the rural development council executive committee and the department to establish a successor organization to the rural development council executive committee created under RCW 43.31.855. The purpose of the successor organization is, at least in part, to improve the delivery and accessibility of public and private resources for meeting the needs of rural communities in Washington. Declares that for purposes of this act, "successor organization" means a private nonprofit corporation created specifically to assume responsibility for administering funds provided by the federal government

and other sources to carry out the purpose stated in this act. AA successor organization must qualify as a tax-exempt nonprofit corporation under section 501(C) of the federal internal revenue code. **Senate Agriculture & Rural Development.**

SB 5168: Distressed Area Economic Development

Authorizes the legislative authority of a distressed county to impose a sales and use tax in accordance with the terms of Chapter 82.14 RCW. The tax is in addition to other taxes authorized by law and shall be collected from those persons who are taxable by the state under chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the county. The rate of tax shall not exceed 0.04 percent of the selling price in the case of a sales tax or value of the article used in the case of a use tax. Provides that moneys collected under this act shall only be used for the purpose of financing public facilities that are a part of that county's economic development plan. **Senate Agriculture & Rural Development.**

SB 5242: Unlawful Agency Actions

Provides that owners of a property interest who have filed an application for a permit, and other property owners or organizations with standing to oppose the granting of the permit and who have participated in administrative proceedings regarding the permit, have an action for damages to obtain relief from acts of an agency which are arbitrary, capricious, unlawful, or exceed lawful authority, or relief from a failure to act within time limits established by law: PROVIDED, That the action is unlawful or in excess of lawful authority only if the final decision of the agency was made with knowledge of its unlawfulness or that it was in excess of lawful authority, or it should reasonably have been known to have been unlawful or in excess of lawful authority. **Senate State & Local Government.**

SB 5265: Rural Areas/Land Use Permits

Authorizes a collaborative procedure for land use and environmental review and permitting in rural counties. Repeals RCW 43.131.387 and 43.131.388. **Senate State & Local Government.**

SB 5281: Permit Assistance Center

Declares that a permit assistance center is needed in this state to: (1) Provide a reliable and consolidated source of information concerning federal, state, tribal, and local environmental and land use laws and procedures that apply to any given proposal; (2) provide information

and assistance to individuals, businesses, and public agencies regarding environmental and land use laws as well as local, state, and federal permitting requirements; (3) upon request, serve as a project facilitator to assist an applicant in identifying regulatory requirements, processes, and permits associated with a project proposal; (4) upon request, assist an applicant by developing a coordinated permit process for a project proposal; and (5) assist the state to achieve its rural economic development goals by providing greater access to the center's services for individuals, businesses, and public agencies in rural counties and for businesses considering locating or expanding in rural counties. Repeals RCW 43.131.387 and 43.131.388. **Senate Environmental Quality & Water.**

SB 5286: Rural Industrial Development

Revises provisions relating to industrial development in rural counties. **Senate State & Local Government.**

SB 5363: Civil Service Reform Act

Directs the board to conduct a comprehensive review of all rules in effect on the effective date of this act governing the classification, allocation, and reallocation of positions within the classified service. In conducting this review, the board shall consult with state agencies, institutions of higher education, employee organizations, and members of the general public. The department shall assist the board in the conduct of this review, which shall be completed by the board no later than July 1, 2000. Provides that, by March 15, 2001, the board shall adopt new rules governing the classification, allocation, and reallocation of positions in the classified service. In adopting such rules, the board shall adhere to the following goals: (1) To improve the effectiveness and efficiency of the delivery of services to the citizens of the state through the use of current personnel management processes and to promote a workplace where the overall focus is on the recipient of governmental services; (2) to develop a simplified classification system that will substantially reduce the number of job classifications in the classified service and facilitate the most effective use of the state personnel resources; (3) to develop a classification system to permit state agencies to respond flexibly to changing technologies, economic and social conditions, and the needs of its citizens; (4) to value workplace diversity; (5) to facilitate the reorganization and decentralization of governmental services; and (6) to enhance mobility and career advancement opportunities. Authorizes a department, agency, or institution of higher education to purchase services provided employees in classified service under this chapter

by contracting with individuals, nonprofit organizations, businesses, or other entities. Requires any department, agency, or institution of higher education that intends to purchase services under this act to demonstrate that the contract results in savings or efficiency improvements. Abolishes the Personnel Appeals Board and its powers, duties, and functions are hereby transferred to the Washington Personnel Resources Board. Provides for collective bargaining reform. Declares that nothing contained in this act permits or grants to any employee the right to strike or refuse to perform his or her official duties. Designates what constitutes unfair labor practices and designates procedures to remedy violations. Provides that all powers, duties, and functions of the Department of Personnel pertaining to collective bargaining are transferred to the public employment relations commission except mediation of grievances and contracts, arbitration of grievances and contracts, and unfair labor practices, filed under a collective bargaining agreement existing before the effective date of this act. Creates the Office of Financial Management's labor relations service account in the custody of the state treasurer to be used as a revolving fund for the payment of labor relations services required for the negotiation of the collective bargaining agreements entered into under this act. Repeals various existing statutes. **Senate State & Workforce Development.**

Tobacco

HJM 4003: Tobacco Settlement

Requests amending the Medicaid statute to prohibit federal recoupment of state tobacco settlement recoveries. **Filed with Secretary of State.**

SB 5359: Tobacco Litigation Monies

Declares that moneys received by the state of Washington in accordance with the settlement of the state's legal action against tobacco product manufacturers, exclusive of costs and attorneys' fees, shall be deposited in the tobacco settlement account created in this act. Creates the tobacco settlement account in the state treasury. Moneys in the tobacco settlement account may only be transferred to the health services account for the purposes set forth in RCW 43.72.900, and to the tobacco prevention and control account created in this act, for the purposes set forth in this act. Creates the tobacco prevention and control account in the state treasury. The source of revenue for this account is moneys transferred to the account from the tobacco settlement account, investment earnings, and

donations to the account. Provides that the moneys in the account may be spent by the secretary of the Department of Health only for public health purposes relating to tobacco, including but not limited to enforcing prohibitions on tobacco sales to minors, countermarketing and advertising efforts relating to tobacco, school and community educational programs discouraging tobacco use, tobacco use cessation programs, research regarding tobacco related illnesses, and administrative expenses of the tobacco and prevention and control board. Moneys in the account may be spent without appropriation. Declares that expenditures from the account shall begin in fiscal year 2001, and for any fiscal year shall not exceed \$26,600,000. Creates the Tobacco Prevention and Control Advisory Board to consist of 14 members designated or appointed as provided in this act. Authorizes the state treasurer to transfer a total of \$155,000,000 from the tobacco settlement account, to the tobacco prevention and control account, upon authorization of the director of financial management. The director shall authorize transfer of the total amount no later than June 30, 2001. **Senate Ways & Means.**

Welfare Reform

SB 5063: TANF Recipients/Education

Pertains to adult recipients of temporary assistance for needy families enrolled in education programs. Declares an intent of the legislature that the Department of Social and Health Services, the Employment Security Department, and community and technical colleges work together more effectively to facilitate the successful comple-

tion of higher educational course work by recipients. Wherever the circumstances and educational progress of a recipient would reasonably lead to timely course completion and employment, the legislature intends that the recipient's grant be maintained without sanction. **Senate Labor & Workforce Development.**

SB 5155: TANF Workforce Development

Requires that recipients of temporary assistance for needy families shall be given a priority for work force development system programs and courses. **Senate Labor & Workforce Development.**

SB 5299: TANF Residency Requirement

Amends RCW 74.08.025 relating to the residency requirement for recipients of temporary assistance for needy families. **Senate Labor & Workforce Development.**

SB 5314: WorkFirst Participation

Revises good cause reasons for failure to participate in the WorkFirst program. **Senate Labor & Workforce Development.**

HB 1093: Land Use Appeal/Fees & Costs

Repeals RCW 4.84.370. **House Judiciary.** §

Meeting Schedule

Senate Health and Long Term Care Committee

Senate Hearing Room 4

Monday 1:30 - 3:30

Wednesday 1:30 - 3:30

Thursday 1:30 - 3:30

House Health Care Committee

House Hearing Room C

Tuesday 1:30 - 3:30

Thursday 8:00 - 10:00

Saturday 1:30 - 3:30

EDITORIAL STAFF

Patty Hayes, Legislative Director

(360) 236-4048

email: plh0303@doh.wa.gov

Brian Peyton, Editor

Jennifer Bush, Contributor

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(360) 586-7424 FAX